

House of Commons Debates

THIRD SESSION—NINTH PARLIAMENT

SPEECH

OF

MR. HENRI BOURASSA, M.P.

ON THE

ALASKAN BOUNDARY COMMISSION

OTTAWA, FRIDAY, OCTOBER 23, 1903

No. 100

Mr. HENRI BOURASSA (Labelle). Mr. Speaker, as the House has disposed of the Orders of the Day, I will now proceed with the discussion of the question which I gave notice to the House I intended to bring up. I think it is most important that before we separate some of the real facts in regard to the Alaskan boundary question should be discussed in this House. I quite sympathize with the feelings of my colleagues who think that I might dispense with bringing the question up at this time; but as there will be no other opportunity, I beg of them to stand the ordeal. In the newspapers of Canada, as well as in the private and public utterances of statesmen and important citizens, a good many things have been said on this question which might give birth to feelings between this country and the motherland as well as between this country and the United States which might just as well be avoided. In the first place, we must remember that the recent tribunal had nothing to do but to give a strictly legal interpretation of the treaty of 1825, concluded between Great Britain and Russia in regard to the line that should divide the Russian and British possessions in the North-west. The two questions which were raised before the tribunal were: What was the Portland channel through which the line had to pass before reaching the mainland? and, what was the chain of mountains, or, in the absence of mountains, what was to be the line, dividing the British and the Russian possessions, and in what way would that affect access from the British possessions to the sea? The Canadian claim was that if the

line were drawn according to the real meaning of the treaty, we would be entitled to the ends of some of the deep inlets which penetrate through that strip of land, and which would give us access to the sea; while the American contention was that the strip of territory which was acknowledged as being the Russian possession by the treaty of 1825, was to be uninterrupted, so that British subjects would be prevented from having access from the interior to the sea, except by river navigation through that strip of land. Of course a good many contentions could be made, and have in fact been made, as to the interpretation of the treaty as it stands; but the question put before this tribunal, as will be found in the correspondence which has been laid on the Table of the House, so far as that strip of land is concerned, was, not simply what the letter of the treaty meant, but what was the intention of the parties who concluded the treaty of 1825? Well, Sir, if one only takes the trouble to go through the British blue-books and read carefully the correspondence that was exchanged for three years from 1822 to 1825, between Mr. George Canning, who was then Foreign Secretary in England, and Sir Charles Bagot, who was British ambassador at St. Petersburg, and afterwards with Mr. Stratford Canning, who succeeded Sir Charles Bagot, and who concluded the treaty, I think no other conclusion can be drawn by any unbiased mind than that it was clearly the intention of the parties that the strip of land should be uninterrupted, and that Great Britain would

not have any right whatever to the inlets that penetrated the coast.

Now, Sir, we must remember the facts of the case as it stood at that time. The intention of Great Britain in opening these negotiations was not to delimit territory; it was to obtain from the Russian government the repeal of the Ukase of 1821, of Emperor Alexander, who had excluded all foreign vessels from navigating within 100 Italian miles of the shore of all territories claimed by Russia, whether in islands or on the mainland. Of course, that pretension was preposterous, and in the following year, at the congress of Verona, Lord Wellington endeavoured to have the Ukase repealed, but did not succeed. Joint action was taken by the United States and Great Britain to bring about the repeal of the Ukase, and for two years negotiations were carried on jointly between the Russian, British and American governments. But the Americans were as clever then as they are to-day, and they succeeded, while still apparently acting in conjunction with the British ambassador, in concluding a treaty with the Russian government without the knowledge of the British government; and in the treaty concluded in 1824, the United States government acknowledged to Russia the right to bring her possessions down to 54 degrees 40 minutes north latitude. Naturally Great Britain was left in an awkward position, because the question of delimitation was thereby forced upon her, and the discussion began. To show that the British government did not care much about territory or about that strip of land or its width, I will quote one sentence from the last despatch sent by George Canning to Sir Stratford Canning, in which he said:

It remains only, in recapitulation, to remind you of the origin and principles of this whole negotiation.

It is 'not' on our part, essentially a negotiation about limits. It is a demand of the repeal of an offensive and unjustifiable arrogation of exclusive jurisdiction over an ocean of unmeasured extent; but a demand qualified and mitigated in its manner, in order that its justice may be acknowledged and satisfied without soreness or humiliation on the part of Russia.

They were negotiating 'about territory to cover the remonstrance upon the principle.' This despatch was dated December 8, 1824. At the opening of the negotiations, Mr. Canning had written to Sir Charles Bagot, on the 15th of January, 1824:

If Your Excellency can obtain the strait which separates the islands from the mainland as the boundary the prolongation of the line drawn through that strait would strike the mainland near Mount Elias—the lowest point of unquestioned Russian discovery. But if that were too much insisted upon, the 133rd degree of longitude, as suggested by Your Excellency, northward from the head of Lynn's harbour might suffice.

It would, however, in that case, be expedient to assign, with respect to the mainland south-

ward of that point, a limit, say of 50 or 100 miles, from the coast, beyond which the Russian posse should not be extended to the eastward.

Thus at the very opening of negotiations the British government were ready to grant a strip of land, from the 60th degree of north latitude to the North Pole, of 6 degrees of longitude wider than what was claimed by Russia; that would have taken as Russian territory the whole Yukon territory. As for the strip of coast below this point, Canning was ready to grant a strip 100 miles wide, which would, of course, have taken in a good slice of the Rocky mountains. We must remember that the British interests on the mainland at that time were represented by the Hudson's Bay Company and the North-west Company alone; and throughout that correspondence it will be found that at every new step in the negotiations, every time that new offers and counter proposals were made, the British government consulted the Hudson's Bay Company; and that suggestion of a strip of land 100 miles wide down to the 56th degree of latitude was approved of by the Hudson's Bay Company. But afterwards, as the negotiations went on, Russia insisted strictly upon coming down to 54 degrees 40 minutes north latitude, which had been acknowledged to her by the United States government as the southerly limit of her possessions. With the southern boundary coming down to that point, the Hudson's Bay Company objected to the strip of land being extended too far inland. Therefore, Sir Charles Bagot suggested different proposals: That the line should run through what is now Chatham strait, then through Clarence strait—and finally consented to the Russian proposal to have the line pass through the Portland canal; and from the head of the Portland canal he himself suggested to the Russian government that a strip of land, ten marine leagues wide, without any reference to mountains whatever, should be taken as the Russian coast from the head of the Portland canal until it reached the 140th degree of longitude. Upon that proposal, the Russian government suggested that it would be better to take the mountains, because that would be a natural boundary. Some discussion followed, and the only objection that was raised by the British government or the British Ambassador as to the mountain limit was that it might carry that strip too far inland. They were ready to grant the whole strip of coast, but they did not like to have the Russian territory extend too far inland, for fear it might come in contact with the establishments of the Hudson's Bay Company and the North-west Company. It was thereupon agreed that the mountain line should be chosen as the frontier, with the understanding that in case the mountains would go too far inland they would fall back on the ten marine leagues limit. The

British government knew perfectly at that time that the limit as suggested by the Russians would exclude all British settlers from having access to the sea, as is clearly laid down in the first objection raised by Sir Charles Bagot against the Russian proposal. I quote from the memorandum, a copy of which was transmitted to Mr. Canning on the 17th of March, 1824 :

Comme il a été convenu de prendre pour base de négociation les convenances mutuelles des deux pays, il est à remarquer, en réponse à la proposition faite par les plénipotentiaires Russes, qu'une ligne de démarcation tracée de l'extrême méridionale de l'île du Prince de Galles, jusqu'à l'embouchure du canal de Portland, de là par le milieu de ce canal jusqu'à ce qu'elle touche la terre ferme, de là jusqu'aux montagnes qui bordent la côte, et de là le long de ces montagnes jusqu'à la longitude du 139^e degré, etc., éterait à Sa Majesté Britannique la souveraineté de toutes ces anses et de ces petites baies qui se trouvent entre les latitudes 56° et 54° 45' dont plusieurs (à ce qu'il y a tout lieu de croire) communiquent directement aux établissements de la Compagnie de Hudson's Bay.

Therefore, from the start, the British ambassador knew that an acceptance of the Russian proposal would deprive British subjects of access to the sea, whereupon the Russian government offered to give free access to the sea through all the rivers that flowed from British territory and emptied their water through that strip of land. This was submitted by Canning to the Hudson's Bay Company and accepted by the Hudson's Bay Company as being a sufficient means of communication to the sea, and this was included in Article VI. of the treaty of which I shall give the authorized translation :

It is understood that the subjects of His Britannic Majesty, from whatever quarter they may arrive whether from the ocean or from the interior of the continent, shall for ever enjoy the right of navigating freely, and without any hindrance whatever, all the rivers and streams which, in their course towards the Pacific ocean, may cross the line of demarcation upon the line of coast described in article III. of the present convention.

Now, as I have said, this was submitted to the Hudson's Bay Company. And what was the reply ? I have it here. It is dated 9th April, 1824, and is signed by J. H. Pelly, I do not know what his official position was, but all the correspondence of the Hudson's Bay Company at that time was signed by him :

I am to state that if His Majesty's government consider it advisable in other respects to accede to the last proposition made by the Russian government for the arrangement of a line of demarcation between the possessions of Russia and Great Britain on the coast of North America, they see no reason to object to it, as it will affect their particular interests, and more especially as it appears to secure to them a free access to the sea for the purposes of their trade on the whole coast to the eastward of the 139th degree of longitude.

What meaning the Hudson's Bay Company—and afterwards the British government—attached to this was that the British secured free navigation of the rivers, notwithstanding the control by Russia of the inlets and small bays. Therefore, as to the intention of the British government and the Hudson's Bay Company, there is no question that they knew that they were excluded from the bays and inlets, but that they believed that free navigation of the rivers and streams was secured.

So far as the mountain boundary is concerned we must remember that the negotiators both in London and St. Petersburg had no knowledge of the country but had to rely upon such documents as were in existence at the time. The map that was most relied upon was the map of Vancouver. If any one will refer to that map he will find that the only mountains indicated was a chain of mountains along the strip of coast and around the inlets, the Taku inlet, the Lynn canal and others, and parallel with the windings of the coast. That Mr. Canning believed the mountains to go all around the coast, I find evidence in his last letter upon which the treaty was signed ; it is dated 8th December, 1824 :

The Russian plenipotentiares propose to withdraw entirely the limit of the 'Listière' on the coast which they were themselves the first to propose, viz., the summit of the mountains which are parallel to the coast, and which appear, according to the map, to follow all its sinuosities and to substitute generally that which we only suggested as a corrective of their first proposition.

As Canning pointed out in other letters, it might happen—as has been proven—that the mountains might not be as they appeared on the map ; and in case the mountains should reach too far inland and interfere with the establishments of the Hudson's Bay Company and the North-west Company, he suggested—and his suggestion was adopted by both parties—that a rider should be attached to this stipulation. Therefore, article 4 of the treaty was adopted, which reads :

With reference to the line of demarcation laid down in the preceding article it is understood :—
1st. That the island called the Prince of Wales island shall belong wholly to Russia.

2nd. That whenever the summit of the mountains which extend in a direction parallel to the coast, from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude, shall prove to be at the distance of more than ten marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia, as above mentioned, shall be formed by a line parallel to the windings of the coast, and which shall never exceed the distance of ten marine leagues therefrom.

A great deal of discussion has taken place upon this article of the treaty because of the word 'ocean' being used there. I shall not deal at length with this part of the

treaty. It is sufficient to go through all the proposals and counter proposals, and especially the comments upon them at that time, to show, as Lord Alverstone has very properly said, that the introducing of the word 'ocean' there could not make obscure the intention of the parties. And, in any case, the word 'ocean' related only to the mountains. But if you read the clause carefully, you will see that this portion of it which had in view the possible absence of mountains, and was intended to provide for a boundary line, stipulated that such line should be drawn parallel, not to the shore of the ocean, but to the sinuosities of the coast. We may discuss the technical meaning of the word 'ocean,' and the word 'coast,' but it is stated clearly in all the letters that the line shall follow the 'sinuosities' of the coast and be parallel to them.

Hon. Mr. HAGGART. Will the hon. gentleman read then the section which, according to him, provides that it shall follow the sinuosities of the coast?

Mr. BOURASSA. That is article 4, which I have just read. The words in the article seem clear enough, and, the letters and other documents make it clearer still. I do not wish to weary the House, but I could give a dozen quotations, from George Canning, Bagot and others representing the British government, and from representatives of the Russian government as well, to prove that, so far as the intentions of the parties are concerned, the object sought was to grant to Russia a strip ten marine leagues wide, not from the ocean, but from a line marking the sinuosities of the coast. The object of the portion of the treaty which I have read was only to prevent the Russian possessions from stretching too far inland.

Now, Sir, many facts have arisen since the signature of the treaty to prove what was the meaning the British authorities put upon the treaty, so far as that part of it is concerned. I can refer to official maps published by the British government which show that this reading of the treaty was recognized. I might refer to the case of a prisoner who was captured by the Canadian authorities in Cassiar district. He was brought through what was claimed American territory, but what we claimed to be our territory. He protested against being held as a prisoner while in American territory. He was tried at Victoria and was condemned. A protest was made by the Secretary of State of the United States to the Foreign Office in London, and an order came directly to the Canadian government to release this prisoner on the ground that he had been held as a prisoner by British officers on American territory. But, to my mind the strongest point of all, so far as posterior interpretation is concerned, is the one raised by the agreement entered into between the

Hudson's Bay Company and the Russian American Company.

Mr. GOURLEY. How would that bind the British government?

Mr. BOURASSA. I will show the House in a moment. Let my loyal friend from Colchester (Mr. Gourley) control his disloyal feeling for a little while,

Mr. GOURLEY. I wish you had such loyalty as mine.

Mr. BOURASSA. Not more than fourteen years after the signature of the treaty, the one body of men most deeply interested in that country—in fact the only body that represented British interests in the country—the Hudson's Bay Company (which company it must be remembered had political and military powers from the British government) made an agreement with the Russian American Company which also had political and military powers from the Russian government. These two companies signed an agreement in 1839, by which the Russian American Company leased to the Hudson's Bay Company most of that strip of coast for five years. The agreement was renewed for several periods of five years. And here is where the official part of it comes in.

When the Crimean war was declared, the two companies thought it advisable, in their mutual interest, to agree that a state of war should not exist in that part of the world. They renewed their lease and had it ratified officially by the British government and by the Russian government. After the war was over, as the members of this House know, there was a change of government in England, and the whole question of the Crimean war and its consequences were made the subject of inquiry. A committee of the House investigated this agreement between the Hudson Bay Company and the Russian-American Company. Sir George Simpson, governor of the Hudson Bay Company, appeared before that committee and was asked what he knew of the nature and purpose of that agreement. He said that the nature and purpose of this agreement was that the Russians, having very little business now upon that coast, and the Hudson Bay Company wishing to do some trade there, the latter had leased the coast and got the lease ratified by the British government and by the Russian government, and agreed upon as being a neutral territory during the time of the war. He also produced a map before the House of Commons, and that map is still in the British archives, upon which he had painted in yellow the strip of coast granted by the Russian American Company to the Hudson Bay Company. That strip of coast as painted upon that map is exactly the territory which is claimed by the American government and has been awarded to them by this tribunal. This is the map which was produced before the British House of Commons, ac-

cepted by the British government as showing the title of the Russian-American Company, and it was never contested by either the Canadian government or by the British government. I think this single fact should be sufficient to show that the line of demarcation between the strip of territory belonging to the Americans and the British territory, was acknowledged officially, and the territory outside of that line belonged to the Americans.

The next point I would like to touch upon refers to the Portland channel.

At one o'clock, House took recess.

House resumed at three o'clock.

Mr. BOURASSA. Before I pass to the question of the Portland channel, I may add that a good deal of the misapprehension which has existed in this country concerning the respective rights of Great Britain and Russia and the United States over the strip of land, had arisen evidently from the fact that the exact phraseology of the treaty, as viewed in the light of the preceding correspondence as well as of the subsequent facts, was somewhat misunderstood even by some of the Canadian officials. For example, in a report sent to Sir Charles Tupper in February, 1888, Dr. Dawson, referring to that strip of land, spoke of the line as being parallel to the coast, and dropped these expressive words, 'sinuosities of the coast,' which appear in the treaty, and upon which the Russians had insisted all along during the negotiations. This fact shows, I think, a misapprehension on which, for example, Mr. Hodgins, of Toronto, has based a very interesting article that was published last year, and that was considered in Canada as a valuable contribution to this question.

To show how far Canadian statesmen were ignorant of the real facts about this treaty, I may ask members of the House to read a couple of pages of the life of Sir John A. Macdonald, by Mr. Pope, in that chapter which relates to the negotiations for the Washington treaty of 1871. There it will be seen that at the suggestion of Sir Donald A. Smith, who had been and perhaps was then still governor of the Hudson Bay Company, Sir John A. Macdonald insisted and secured, or thought he had secured, a valuable right for Canada in putting article 26 in the Washington treaty, providing that British subjects should be free to navigate the Stikine river—forgetting that by the treaty of 1825 we already possessed the right of navigating all these rivers. Of course article 26 of the Washington treaty also added that we had the right to navigate the Yukon and Porcupine rivers. That was a useful right to acquire, but I think the stipulation including the Stikine, with the Porcupine and the Yukon rivers, shows conclusively that even the Prime Minister of Canada at that time, and the governor of

the Hudson Bay Company, did not know that they already held under the treaty of 1825 more than they were asking for in respect to the navigation of the Stikine river. I may also add that in 1874, a report was presented to the Minister of the Interior of Canada, by Mr. J. F. Dennis, Surveyor General of Canada, with reference to the boundary that was to be traced according to the treaty of 1825. In that report Mr. Dennis mentioned as one of the results of the tracing of that boundary,

The crossing of the following rivers on the Pacific coast by the said boundary, that is to say: 'The rivers 'Skeet,' 'Staeken,' 'Taku,' 'Ukash,' 'Chilkah.'

So it was considered at that time and was not contradicted, that the boundary crossed those rivers that traversed that strip of coast, and therefore we could not claim the heads of the inlets since we acknowledged ourselves that the boundary line had to cross the rivers which flow into those inlets.

I need not say that this boundary question is by far the most important of all the questions that were submitted to arbitration, because the answer to it was to decide whether we could have a free port on Canadian territory to reach the Yukon. The other part of the question submitted—that is to say: Where does the Portland channel begin and where should the line pass?—is a much less important one. But so far as that part of the award is concerned, I am at sea to understand the decision that was reached by the majority of the commission. No one who has studied the map, who has read Vancouver's reports of his trips in that part of the continent, can come to any other conclusion than that the four islands, Kangaqumut, Sitklan, Pearce and Wales, either all belong to Canada or all belong to the United States. So I think, we must come to the conclusion that if Lord Alverstone acted strictly according to his judicial functions in regard to the former and most important question, in regard to the latter question, he played the role of a diplomat rather than that of a judge.

Mr. GOURLEY. I think you had better apply that remark to all of them.

Mr. BOURASSA. Of course, I admit that a good many things can be said in favour of the American contention, and perhaps it is well—

Mr. GOURLEY. Has the hon. gentleman a brief from Washington? Does he think that in this British parliament he is called upon to argue a case that has been ably argued from the American side by paid advocates from Washington?

Mr. BOURASSA. I do not intend to be diverted from my argument. Perhaps it would be well for the Canadian people to

acknowledge the facts before they indulge in such wild talk as we have seen in some of the newspapers and which perhaps we may hear from the lips of some hon. gentlemen in this House.

Mr. GOURLEY. I am very proud of the newspapers in Canada for resenting this slur.

Mr. BOURASSA. I think it is just as well that we should study coolly the facts of this case, so that we may receive a decision like this with a knowledge of the facts, as well as with a certain amount of dignity. When we come to the time of placing the responsibility where we think it should lie, then, perhaps, I might come nearer to my hon. friend in my opinion of British diplomacy.

Mr. GOURLEY. Don't, for heaven's sake,

Mr. BOURASSA. I was going to say that the British Admiralty published a map, dated 15th December, 1896, and corrected in March, 1900—one year after the British plenipotentiaries had held at Washington and Quebec that we were entitled to the northern channel of the Portland canal—in which map the southern entrance, which the Canadian commissioners contended was the entrance to Observatory Inlet, is set down "Portland Inlet." It is not surprising that Lord Alverstone came to the conclusion that the Portland canal was really to the south of the four islands when the British Admiralty, even after we had laid claim publicly to the north channel, still published on their official chart the southern channel as being the Portland canal. As far as that is concerned, I leave my hon. friend from Colchester to address his repreaches to the British Admiralty.

Much has been said about the importance of these two little islands, Kannaghunut and Sitkian. As far as their intrinsic value is concerned, I think every body will agree that they are of no value whatever. To speak of their strategie value is to my mind going a little beyond the mark. If Canada should be at war with the United States, I think we would have enough to do, even if my hon. friend from Colchester went in the trenches, to defend other parts of Canada much more important than Sitkian and Kannaghunut islands. The hon. member from Montreal, St. Mary's (Hon. Mr. Tarte), or his organ, "La Patrie" of Montreal, has gone to the extent of declaring that the possessions of these two islands by the United States threatened the security of Port Simpson. Of course, the hon. gentleman has probably based his opinion upon the fact that the Canadian commissioners, Sir Louis Jetté and Mr. Aylesworth, stated, in what we have seen of their report so far, that these two islands commanded the entrance to Portland canal; and probably the hon. gentleman has concluded therefrom that

they were of great importance to the security of Port Simpson. But if my hon. friend had looked at the map he would have found out that Sitkian and Kannaghunut islands command the entrance of what we call Portland channel, but that they have nothing whatever to do with commanding the entrance to the southern channel or what we call Observatory Inlet, but what the British Admiralty and the American government call Portland canal. Wales island is the one that commands the entry to the channel.

Hon. Mr. TARTE. How many miles are there?

Mr. BOURASSA. I have not the scale of the map.

The PRIME MINISTER. Between what points?

Hon. Mr. TARTE. Between Sitkian island and Port Simpson.

The PRIME MINISTER. Fifteen miles.

Hon. Mr. TARTE. Between twelve and thirteen miles.

Mr. BOURASSA. Wales Island is about half way between Sitkian island and Port Simpson—

Hon. Mr. TARTE. I have looked at the map.

Mr. BOURASSA. Therefore, if by the possession of Wales island and Pearse Island we are not able to protect Port Simpson against any fortifications that the Americans may erect on Sitkian island, we cannot protect it at all. Even with the possession of Sitkian island, Port Simpson would be no more protected than without it. Wales Island is between the two. Suppose we possessed these two little rocks, how would we prevent the American government from fortifying the mainland? Therefor, I say that the possession of these islands could afford no valuable protection against attack upon Port Simpson from the mainland.

Mr. WRIGHT. Does the hon. gentleman know the area of these three islands?

Mr. BOURASSA. I do not know the area, but from looking at the map I should judge that Sitkian island is perhaps one mile in length or a little less, while Wales island is quite extensive and Pearse island still larger. Wales island gives more protection to the entrance to Port Simpson than Sitkian island which is close to the mainland.

Hon. Mr. TARTE. Wales island is beside the channel and the two others are outside of it.

Mr. BOURASSA. Wales island is really at the dividing line between the two channels.

Hon. Mr. TARTE. But inside the channel.

Mr. BOURASSA. The southern point of Wales island is between Sitkhan island and Port Simpson.

Hon. Mr. TARTE. It is something like that, but not quite. The other islands are outside of the mouth of the channel.

Mr. BOURASSA. But aside from the intrinsic value of these islands, there is one feature of this incident which I think we cannot too much deplore as representatives of the people of Canada. It is the spirit which has characterized the decision of the majority of the commissioners, in so far as that part of the question is concerned. To my mind, instead of concentrating all our ire and indignation upon the shoulders of a worthy and learned magistrate, who, in regard to four-fifths of his opinions, had certainly facts to justify his decision, we should go to the root of things and find out where lies the real responsibility which has forced upon the people and government of Canada this unfortunate decision. That, I think, would be much more statesmanlike, and would lead to a much clearer and better understanding in the future as to our rights towards the British government. There were two means of disposing of this question—one by diplomacy and the other by judicial arbitration. If there had been an effort to effect a diplomatic compromise of this question, one would have had to have offered something in compensation; and especially when dealing with a nation like the United States, I think it would have been a very dangerous thing to have gone to them and offered to compromise without having something to offer in compensation. We know too much about their appetite and disposition. Perhaps hon. members of this House will remember that at the time of the denunciation of the Clayton-Bulwer treaty, I stated in this House that the moment the Clayton-Bulwer treaty was abrogated without compensation to Canada our case in regard to the Alaskan boundary was very much compromised. I was violently attacked at that time by some people who are now very hard on the British government and even on the British Crown. I could not explain at that time the whole of my mind, because I could not give public expression to my opinion of the Alaskan boundary question.

I had been connected with the Anglo-American commission to which the question had been submitted, and I could not speak; but now that the Alaskan question is settled, I may say here what I had in my mind, and that is: That the moment Great Britain voluntarily decided not to set off the Alaskan boundary question against the abrogation of the Clayton-Bulwer treaty, our case was lost, because it was left for decision to judicial arbitration, and

in my opinion, we had no case from a judicial point of view. That was the opinion of the Hon. David Mills, late Minister of Justice, who published articles in England, stating that the British government had no right to denounce the Clayton-Bulwer treaty without obtaining for Canada a settlement of the Alaskan boundary question. So far as I am concerned, I declare here and now that I would have been the last man to ask Great Britain to give a quid pro quo as between the Clayton-Bulwer treaty and the Alaskan boundary treaty. I belong to that school of colonials who believe that we should ask nothing from the Motherland and give nothing to the Motherland, while at the same time we should preserve the very slight tie which has united us so far. But, Sir, I leave to my strong imperial friends; I leave it to those who declare from time to time that we must make voluntary sacrifices for Great Britain; I leave it to them to settle their account with the British government, and especially with Mr. Chamberlain, the Colonial Secretary, who, at that time, had in care the welfare of Canada. I may just point out en passant, that at a time when the sons of Canada were shedding their blood for the empire on the soil of Africa, Mr. Chamberlain was coldly sacrificing the interests of Canada, so far as they were involved in the Clayton-Bulwer treaty and the Alaskan boundary treaty. I repeat, that for my part I would not have asked the British government to make the abrogation of one treaty dependent on the defining of the other. I think, Sir, that the British government should look to their own interests and that we should look to our own interests. But, as the same time, I point out this fact, to show those who think that the bond of empire should be an exchange of mutual services, that if they calmly study the history of the relations between Canada and the United States as affected by British diplomacy, they will find that the services have been very often on the one side, and the favours very seldom on the other.

Let me point out that the special London correspondent of the Montreal 'Star' published the following quotation from the London 'Morning Post,' a journal which is in close contact with the present British government:

The 'Morning Post' asks, presumably with some ulterior purpose: 'Has the British government evidence that Canada was anxious above all for a verdict, and also that the Canadian government approved of the selection of an Englishman as a commissioner.'

Within the last day or two, the hon. member for St. Mary's (Hon. Mr. Tarte) has published articles in his newspaper, blaming the Canadian government for having gone to this tribunal and for having consented to this sacrifice of our interests. Well, Sir, so far as the constitution of the tribunal is concerned, the correspondence

has been brought down, and now is the time to apportion the responsibility. As hon. members know, when the Washington conference was adjourned, in 1899, it was decided to leave the settlement of this question to the British and American governments. It was not dealt with until last fall, and then Mr. Chamberlain informed the Canadian government that Sir Michael Herbert—whose death we all regret—had received an offer from Mr. Hay, the United States Secretary of State, to settle this Alaskan boundary question. A tribunal was proposed by the United States government of the very same kind that had been offered in 1899 and refused by the Canadian commissioners. The hon. gentleman (Hon. Mr. Tarte) has asked in his newspaper: 'Why did the Canadian government consent in 1903 to what they refused in 1899?' I am not here to speak for the Canadian government, but I can speak of what I find in the correspondence, and in that correspondence I find that the Canadian government urged upon the British government the great inconvenience of leaving the question to be decided by such a tribunal, and offered to have it submitted to the Hague tribunal. To this Mr. Chamberlain replied that this was impossible, as the United States government would not consent. The Canadian government then gave way to a certain extent, and they said: We will consent to have it submitted to this tribunal, provided that the tribunal be composed of jurists of repute, who will decide according to law. Everybody knows what happened. One day we were informed in the press that Secretary Root and Senators Lodge and Turner were to be chosen by the President of the United States as the American arbitrators. On the 18th of February, 1903, the announcement came officially in a despatch from the Colonial Secretary to Lord Minto. Three days later Lord Minto cabled that his ministers protested strongly against the choice of these commissioners, because their appointment was certainly a breach of the treaty which provided for six eminent jurists. The protest of the Canadian government was couched in such terms that it left the door open for a refusal by the Canadian government to consent to appear before that tribunal.

Mr. HUGHES (Victoria). The hon. gentleman means that Lord Minto acted on the advice of his ministers?

Mr. BOURASSA. Of course. To that despatch the British government replied that it was useless to make any representations at Washington, and they urged most strongly upon the Canadian government the acceptance of that tribunal. I say 'urged'; the language of the British government is polite—they are always polite in their language—but the meaning is there; and it is easy to see that the British government

wanted to 'force' on us the acceptance of that tribunal. But there was more to follow. A draft of the treaty was signed and ratified by the British government before they had obtained the final consent of the Canadian government to the constitution of the tribunal, as it had been announced by the government of the United States. Therefore, if we have indignation to express; if we have sore feelings to give vent to; let those who are so anxious about the dignity of Canada, not vent them upon Lord Alverstone, who, once appointed, had nothing left but to give a judgment according to what he thought to be a strict law; but let them go to the source of all the trouble; let them go to the responsible statesmen in England who concluded a treaty affecting the interests of Canada without waiting for the opinion of the Canadian government representing the Canadian people. After the tribunal had been organized, there was no recourse but to have the question judged according to law. Lord Alverstone has himself pointed out that in his opinion the line of frontier, as provided for by the treaty, is an absurd one; but he very properly added that he was not there to change treaties, but to interpret them. Then, Sir, so far as that is concerned, I must say that I believe Lord Alverstone has done his duty.

Now, on the broader question of British diplomacy, I want to be clearly understood. I do not say that the British government should take any risk in safe-guarding our interests at Washington. I do not belong to the school who would ask from Great Britain one iota of a sacrifice in order to protect Canadian interests; but I think I have the right to ask, and every member of this House and every Canadian citizen has the right to ask, that the British government, for the sole purpose of catching American favour, shall have no right to compromise Canadian interests without the will of the Canadian people. That is all I ask from the British government.

Sir, if the members of this House want to have an idea of the great services rendered to the Canadian people at the hands of British diplomacy, in our relations with the United States, I will refer them to a little episode which happened in 1888. One of the arguments made all through the American press and by American commissioners and American diplomats, is that before the discovery of gold in the Yukon, the Canadian government never raised ~~any~~ protest against the occupation of that strip of land, all along and without any interruption, by the American government. To this we have replied that we raised protests in 1888. But, Sir—and this is a very amusing illustration of British diplomacy—how did those protests reach Washington? The first document was a letter addressed by Mr. Burgess, Deputy Minister of the Interior, to Sir John Macdonald, dated the 19th of June, 1888, in which he said very precisely:

Captain Moore, of Victoria, British Columbia, who was for some time a member of Ogilvie's expedition to the Yukon, has reported to the government of British Columbia that he believes certain persons are about to receive a charter from the Alaskan authorities to construct a trail from Lynn canal by way of White pass to the interior of Alaska. If our view of the case is correct, the entire route of this trail, as well as the trail by the Chilkoot pass, is in Canadian territory.

To that letter was added a memorandum giving a description of the country, and giving the contention of the Canadian government in regard to the exact location of the boundary. Sir John Macdonald, in a letter dated the 18th of July, 1888, sent Mr. Burgess' note to Sir Charles Tupper. The letter read as follows :

Dalhousie, July 18, 1888.

My dear Sir Charles.—I send you a note from Burgess, which speaks for itself. As Sir Lionel says that the foreign office disapproves of communications from Ottawa to Washington direct, perhaps you may think it well to call Lord Salisbury's attention to Burgess' suggestion.

Yours faithfully,

(Sgd.) JAMES A. MACDONALD.

On the first of August, Sir Charles Tupper transmitted these documents to the colonial office. On the 21st of August, the colonial office transmitted them to the foreign office. It had taken three weeks for them to go from the colonial office to the foreign office. Ten days later Lord Salisbury wrote to Sir Lionel Sackville-West, who, as the members of this House will remember, was at that time busy mixing himself up in the American elections, for which he got a clearance in short terms.

Mr. GOURLEY. Tricked by a low Yankee.

Mr. BOURASSA. Sir Lionel Sackville-West replied to the Marquis of Salisbury that he would lay the matter before the Secretary of State; and here is the letter sent by the British Ambassador to the Secretary of State :

Beverly, Mass., September 10, 1888.

Sir.—I have the honour to inform you that the Marquis of Salisbury has requested me to bring

to your notice a rumour which has reached Her Majesty's government that a charter is about to be granted by the authorities of Alaska for certain privileges in a part of that country which is claimed by Great Britain.

Her Majesty's government presume that this rumour is unfounded, as the territory in question is part of Her Majesty's dominions.

I have, &c.,

(Sgd.) L. S. SACKVILLE WEST.

What was the territory that was claimed, and by what title did we claim that the territory was ours? The British Ambassador forgot to tell. The result was that the Secretary of State replied that he had never heard anything of the kind. The British Ambassador sent the reply to the foreign office, the foreign office sent it to the colonial office, the colonial office sent it to Sir Charles Tupper, and Sir Charles Tupper sent it to Sir John Macdonald; so that after four months of correspondence and red tape there was nothing left of our claim, and it was never known officially to the United States government that we had once in our life protested against their interpretation of the Treaty of 1825.

My conclusion from all this is that instead of throwing stones at magistrates, instead of complaining in an undignified way of the result of this award, we should take the position as it is, coldly and firmly, and learn from it this lesson, which is not the first nor the last, that if we want to deal with the American government, we should deal directly through an agent at Washington appointed by the Canadian government. Then, instead of it taking three months to have our letters sent to Washington, they could be sent in three days. I do not think I need add any more on this question; but being free, as I have been since this award was given, to speak my mind, which I was prevented from doing for the last five years, I thought I would give a piece of information to the House and the country in regard to what I consider to be the real facts of this case, so that we may draw clear and practical conclusions from the whole history of this Alaska boundary question.